

REMARKS

I. Status of Claims

Claims 13-15 and 17-25 are currently pending this application. Claim 13 is independent and currently amended. Claim 16 is canceled without prejudice and/or disclaimer to the subject matter therein.

Claims 13-25 stand rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 13-25 stand rejected under 35 USC 102(e) as allegedly being anticipated by Misu et al (USP 6,662,891 B2) (hereinafter "Misu").

The Applicant respectfully requests reconsideration of these rejections in view of the foregoing amendments and the following remarks.

II. Claim Objections

Claim 13 is amended to correct any perceived ambiguity.

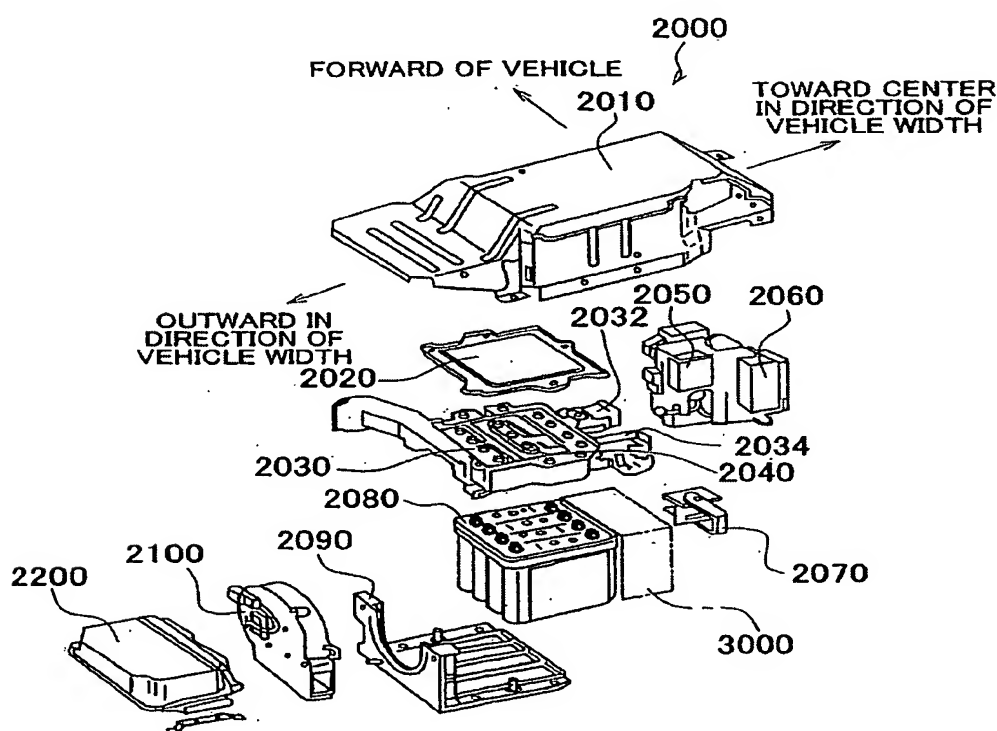
III. Pending Claims

Claim 13, the only independent claim, stands rejected under 35 USC 102(e) as being anticipated by Misu.

The Applicant respectfully submits that claim 13 is patentable over Misu at least because it recites, "wherein the battery pack comprises a battery body formed by the plurality of battery unit cells or battery modules, and a space portion, through which the cooling medium is introduced, that is arranged within the battery pack and adjacent to the battery body, that is provided at a side of the battery body that faces a center line of a width of the vehicle." (emphasis added)

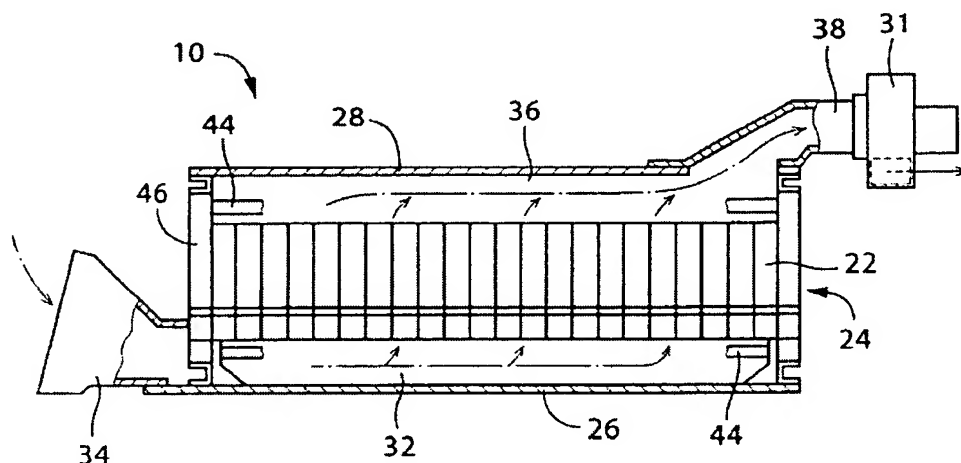
In certain embodiments of the present invention, for example, as seen in FIG. 5 provided

FIG. 5



In contrast to certain embodiments of the present invention, Misu does not disclose such an arrangement. Rather, as seen in FIG. 4 of Misu provided hereinbelow, a space portion (generally at reference numeral 36) is arranged between a battery body and a seat; however, it is not provided at a side of the battery body that faces a center line of a width of the vehicle as required by Applicant's claim 13. Instead, the space is provided on top of the battery body.

FIG. 4



Further, although a space is provided (generally in the area of reference numerals 22 and 4) adjacent to the battery body, cooling medium is not introduced through the space as required by Applicant's claim 13.

Therefore, the Applicant respectfully submits that, for at least these reasons, claim 13 and its dependent claims are patentable over Misu and the cited references.

PATENT

U.S. Application No. 10/542,051
Attorney Docket No. 10517-281

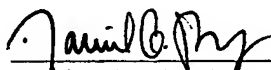
IV. Conclusion

For the above reasons, it is submitted that the application is in condition for allowance. Prompt consideration and allowance are solicited.

The Office is authorized to charge any additional fees under 37 C.F.R. § 1.16, § 1.17, or § 1.136, or credit of any overpayment, to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,

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